



Atty. Dkt. No. 017475-0113

#9  
7-17-03  
B. Hilliard

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: David WILKINS  
Title: METHOD AND APPARATUS FOR  
CONTROLLING A GRAPHICS  
ENGINE  
Appl. No.: 09/387,502  
Filing Date: 09/01/1999  
Examiner: Xiomara L. Bautista  
Art Unit: 2173

**REQUEST TO RECONSIDER AND RESCIND  
ABANDONMENT OF APPLICATION**

**RECEIVED**

JUL 09 2003

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Technology Center 2100

Sir:

Receipt is acknowledged of the Notice of Abandonment dated July 2, 2003, in the subject application. Since there was no abandonment in fact, per MPEP 711.03, applicant respectfully requests that this Notice be reconsidered and rescinded.

The July 2, 2003 Notification was based on an alleged failure to timely respond to the Final Office Action mailed on October 17, 2002. Attached hereto are copies of the following documents showing that a proper reply was filed in response to the Final Office Action:

- Notice of Appeal;
- Third Month Request for Petition for Extension of Time;
- Copy of Check No. 28356 in the amount of \$625.00 (Small Entity Applicable); and
- Copy of USPTO stamped postcard receipt.

The PTO is advised that the aforementioned documents were timely filed on April 17, 2003 as evidenced by the attached copy of a receipt bearing the Office date stamp thereon. Accordingly, it is requested that this Notification of Abandonment be reconsidered and rescinded under MPEP 711.03.

Respectfully submitted,

Date July 8, 2003

By Brian J. McNamara

FOLEY & LARDNER  
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

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Brian J. McNamara  
Attorney for Applicant  
Registration No. 32,789

Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge deposit account No. 19-0741 for any such fees; and applicant hereby petitions for any needed extension of time.